

REMARKS

In response to the non-final Official Action mailed June 6, 2006, Applicant requests amendment of the application and reconsideration in view of the following remarks. In this Amendment, no claims are added or canceled, and claims 11 and 23 are amended. Claims 2-3, 5-15, 17-27, and 29-37 remain pending in this application. All pending claims stand rejected. Applicant notes that numerous errors in the Official Action made it difficult to respond. Applicant has made his best effort to respond.

I. 35 U.S.C. § 101 Non-Statutory Subject Matter Rejection of Claims

Claims 11-12 and 23-24 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. That rejection is respectfully traversed.

Applicant respectfully submits that the rejection of claims 11-12 is erroneous. Those claims are directed to a computer readable memory device encoded with a data structure. The computer readable memory device is an article of manufacture and is therefore patentable. *See In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). Accordingly, Applicant respectfully requests withdrawal of the rejection.

Applicant respectfully submits that the rejection of claims 23-24 is moot in view of the amendment of claim 23. Claim 23 now recites the performance of an inter-thread call. The performance of an inter-thread call where not previously possible clearly provides a useful, concrete, and tangible result. Accordingly, Applicant respectfully requests withdrawal of the rejection.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 3, 5, 9, 10, 13, 15, 17, 21-27, 29, and 33-37 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Narin et al.* (U.S. Patent No. 6,691,176, hereinafter “*Narin*”) in view of alleged Admitted Prior Art (APA). Applicant respectfully traverses this rejection.

Applicant again traverses the Examiner’s assertion of “Admitted Prior Art.” Applicant never admitted that the cited portions of the specification were “prior art” as defined by law (See M.P.E.P. 2129 and 35 U.S.C. § 102). The Examiner has again asserted that the cited portions of the specification are “prior art,” and repeated this assertion without addressing Applicant’s traversal. “Where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's arguments and answer the substance of it.” MPEP § 707.07(f). Applicant respectfully submits that, for clarity of the record, the Examiner is required to address Applicant’s traversal or else find new grounds for the rejection. A response to Applicant’s arguments is respectfully requested. Applicants further note there has been no admission of prior art, and nothing in the specification has been identified as the work of others. *Reading & Bates Construction Co. v. Baker Energy Resources Corp.*, 748 F.2d 645, 650, 223 USPQ 1168, 1172 (Fed. Cir. 1984) (“[W]here the inventor continues to improve upon his own work product, his foundational work product should not, without a statutory basis, be treated as prior art solely because he admits knowledge of his own work. It is common sense that an inventor, regardless of an admission, has knowledge of his own work.”).

Narin and the alleged APA fails to teach or suggest all of the limitations of claim 3. For example, the combination fails to teach or suggest “a first interface operatively configured to

connect said cross platform language API and said scriptable language API.” The Examiner contends that this limitation is taught by the connector object 194 of *Narin*. A review of Figs. 6A and 6B of *Narin* reveals that connector object 194 does not connect a cross platform language API and a scriptable language API. The connector object 194 connects a browser scripting space and service manager 190, which the Examiner regards as the “second interface” recited in claim 3. Thus, the Examiner’s own mapping of *Narin* to the claims fails to establish that *Narin* teaches or suggests this limitation. Moreover, Applicant notes that a function call does not teach or suggest an API. Claims 15 and 27 recite similar limitations, and are therefore patentable for at least the same reasons.

Accordingly, Applicant submits that *Narin* in view of the alleged APA fails to teach or suggest all the limitations of claims 3, 15, and 27, and respectfully request that the rejection to these claims be withdrawn. Claims 5, 9, 10, 17, 21, 22, 25-27, and 29-34 depend from independent claims 3, 15, and 27, respectively. Thus, claims 5, 9, 10, 17, 21, 22, 25-27, and 29-34 should be deemed allowable for at least the same reasons as given for claims 3, 15, and 27. Applicant further notes that the Examiner relies on *Lewallen* in discussing claim 5. The Examiner did not make this rejection based on *Lewallen*. Thus, the rejection of claim 5 is erroneous on its face. Applicant further notes that the Examiner erroneously asserts that claims 17, 21, and 22 are apparatus claims.

Moreover, *Narin* fails to teach or suggest all of the limitations of claim 13. The Examiner contends that claim 13 is an apparatus claim of claim 1. Claim 13 is a method claim and claim 1 was previously canceled. Accordingly, the Examiner cannot reject claim 13 “for the same reasons as claim 1 above” because the Examiner did not give any reasons. Applicant

submits that this rejection is erroneous on its face. Furthermore, claim 13 is patentable over *Narin* for the same reasons as given for claim 3, namely that *Narin* fails to teach or suggest a scriptable plug-in API. Claims 25 and 37 recite similar limitations and are therefore patentable for at least the same reasons as given for claim 13.

Still further, *Narin* fails to teach or suggest all of the limitations of claim 23. The Examiner contends that claim 23 is an apparatus claim of claim 11. Claim 23 is a method claim. Moreover, claim 11 is rejected on separate grounds. Accordingly, the Examiner cannot reject claim 23 “for the same reasons as claim 11 ” because claim 11 was in view of additional references not relied upon in the this rejection. Claim 24 depends from claim 23 and is patentable for at least the same reasons. Contrary to the Examiner’s assertion, claim 24 is not an apparatus claim.

Thus, *Narin* fails to teach or suggest all of the limitations of claims 3, 5, 9, 10, 13, 15, 17, 21-27, 29, and 33-37. Accordingly, *prima facie* obviousness has not been established, and the rejection should be withdrawn.

Claims 6-8, 18-20, and 30-32 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Narin* in view of the alleged APA, in further view of *Netscape Gecko Technologies Enabling the Next Generation Internet* (hereinafter, “*Netscape*”). Applicant respectfully traverses this rejection.

The propriety of this rejection relies on the assertion that *Narin* teaches or suggests all of the limitations of claims 3, 15, and 27. As previously explain, that assertion is false.

Accordingly, *prima facie* obviousness has not been established, and the rejection should be withdrawn.

Claims 2 and 14 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Narin* in view of alleged APA and further in view of *Lewallen* (U.S. Patent No. 6,854,123). Applicant respectfully traverses this rejection.

The propriety of this rejection relies on the assertion that *Narin* teaches or suggests all of the limitations of claims 13 and 37. As previously explain, that assertion is false. Accordingly, *prima facie* obviousness has not been established, and the rejection should be withdrawn.

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being purportedly unpatentable over *Narin* in view of the “The ActiveX Core Technology Reference” (hereinafter, “*ActiveX*”). Applicant respectfully traverses this rejection.

With respect to independent claim 11 and with reference to exemplary Figures 6A and 6B, Applicant teaches, for example, a scriptable plug-in API that includes a “scriptable plug-in” 600 and a proxy support interface (e.g., non-scriptable interface support proxy or “nsISupports Proxy” in Fig. 6B) that is operatively configured to allow the scriptable plug-in 600 to perform inter-thread calls through said proxy support, such as an inter-thread call to a non-scriptable plug-in. Unlike the present invention, *Narin* discloses that “the service manager [190] and interface [(either ActiveX control interface 195 or Plug-In interface 196)] act as a proxyon behalf of the scripting space” of the respective browser. (See *Narin*, Col. 14:43-46; Fig. 8B). *Narin* further discloses that the service manager and interface proxy “are provided to form a

communication line [i.e., a single thread] between the scripting space and the services” of the ActiveX control or Plug-In. (See *Narin*, Col. 14:41-43; Fig. 8B).

The Examiner contends that ActiveX control interface 195 teaches “a scriptable plug-in.” As previously described, ActiveX control interface 195 is merely a proxy between a scripting space and the service manager. *Narin* does not teach or suggest that ActiveX control interface 195 is a “scriptable plug-in.” *Narin* provides no support for the Examiner’s contention. Accordingly, Applicant submits that *Narin* and *ActiveX* fail to teach all the limitations of claim 11, and respectfully request that the rejection to these claims be withdrawn. Claim 12 depends from independent claim 11. Thus, claim 12 should be deemed allowable for at least the same reasons as given for claim 11. Claims 23 and 35 recite similar limitations, and are thus allowable for at least the same reasons given for claim 11. Claims 24 and 36 depend from claims 23 and 35, respectively, and thus should be deemed allowable for at least the same reasons given for claims 23 and 35.

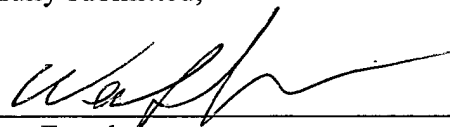
III. Conclusion

In view of the above amendments and remarks, Applicant submits that the pending claims are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: September 7, 2006

By: _____


A. Wesley Ferrebee
Registration No. 51,312

Customer Number: 58328
SONNENSCHN NATH & ROSENTHAL LLP
P.O. Box 061080
Wacker Drive Station, Sears Tower
Chicago, Illinois 60606-1080
Phone: 202) 408-9214
Fax: (312) 876-7457